



**CITY OF KINGSTON PLANNING BOARD
MEETING MINUTES
Tuesday, October 13, 2015
Common Council Chambers – 6:00 PM**

NOTES: (1) These meeting minutes are a summarization of notes and not an absolute transcript of dialogue. (2) All public hearings were conducted prior to the Planning Board discussions with the applicant(s) and any comment received is included within the written section of the minutes. (3) In the absence of full Planning Board Members, or in the case of a necessary abstention, the Planning Board Alternates will participate in the vote in order of seniority.

A meeting of the City of Kingston Planning Board was held on October 13, 2015 in the Common Council Chambers at Kingston City Hall, 420 Broadway, Kingston, New York. The meeting was called to order at 6:00 PM by Chairman Wayne Platte Jr.

BOARD/ALTERNATE MEMBERS PRESENT: Wayne D. Platte, Jr., Chairman, John Dwyer Jr, Vice Chairman, Charles Polacco, William Tubby, Robert Jacobsen, Jonathan Korn and Jamie Mills.

BOARD/ALTERNATE MEMBERS ABSENT: Mary Jo Wiltshire.

OTHERS: Kyla Haber, Assistant Planner, and Brad Will, Common Council Liaison.

GENERAL NOTES:

1. Pledge of Allegiance
2. Introduction of all Board Members and Staff Present
3. Identify exits, bathrooms, no elevator in case of emergency
4. Silence cell phones, conversations should be taken out of room
5. Respect speakers

REGULAR BUSINESS:

Item #1: Open Public Speaking (6:00P.M. – 6:15 P.M.)

Item #2: Adoption of the September 14, 2015 Planning Board minutes.

Discussion: Chairman Platte asked if anyone had any questions or corrections to the minutes. All agreed that they had reviewed them and that they had not suggested changes.

Decision: The Board voted unanimously to adopt the minutes from the September 2015 Planning Board meeting. (WP, CP, JD, RJ, JK – yes)

PUBLIC HEARINGS:

Item #3: **#74 Main Street** SUBDIVISION of the Lands of Stanley & Kathleen Smith. SBL 56.91-2-4.1. SEQR Determination. Zone O-2. Ward 2. Stanley & Kathy Smith; applicant/owner.

Discussion: No one spoke at the public hearing. Stanley Smith and Christopher Zell were present at the meeting. The City's Corporation Counsel, Andrew Zweben, was present at the meeting.

The proposal is to subdivide two properties on Main Street. The subdivision will divide two structures along what may or may not be a shared wall.

The following issues were identified and need to be considered prior to approval:

- Identification as to whether the wall is shared or whether each building has its own wall. If the wall is shared, an agreement should be established as to maintenance and other potential issues that may arise.
- Shared utilities need to be identified and separated. Each structure will need to have its own, separate sewer, water, and electric service and hookup. The Building Safety Division will need to review to see if there are any other building code issues.
- Parking – There is an easement for parking in a lot in the rear of the structure as well as a 9 ft. right of way over a property owned by a separate owner, Historic Stone Houses, Inc. The applicant stated that he has 5 spaces accessed from the rear, 1 space with a carport is on his property while the other 4 are provided as an easement. He plans to separate the 4 spaces, having 2 for each of the newly created properties.
- Variances – Variances will be required because the lots do not meet the minimum requirements for setbacks, and maximum lot coverage.

A. Zweben recommended that the Board table the application to allow time to investigate and rectify some of the outstanding issues.

Decision: The Board voted unanimously to table the application. The application will be placed on the November Planning Board agenda. (WP, CP, JD, JK, RJ – yes)

Item #4: **#702 Broadway** SPECIAL PERMIT renewal for 6 residential units use in the C-2/MUOD. SBL 56.25-1-9.100. SEQR Determination. Zone C-2/MUOD. Ward 2. Mohammed Alshaary/applicant; Morning Tree Corp./owner.

Discussion: No one spoke at the public hearing. Mohammad Alshaary was present at the meeting to represent the renewal application. The application is for a special permit renewal for residential use in the C-2/Mixed Use Overlay District. The initial application was approved in April 2008. The most recent renewal was approved in September 2014 for a period of 1 year.

During the previous renewal the Board renewed the terms of the residential units to coincide under one meeting. The renewal now includes the 2 units in the main building and 4 units in the rear building on Elmendorf Street.

The Board asked if there has been any progress made on the Elmendorf building. The Elmendorf Street building is proposed to house 4 apartment units and 1 storefront. M. Alshaary stated that he has not moved forward but would like to keep the permit active. The mortgage on the property is almost paid off which would allow him to take out another mortgage to renovate the rear building. M. Alshaary stated that he is still interested in pursuing the renovations to the Elmendorf Street building.

W. Platte reminded the applicant that the recreation fee has not yet been paid and that it will be required prior to obtaining a building permit. The recreation fee is \$4000 (\$2000 for each unit excluding the first 4) to be paid to the Kingston Parks and Recreation Office.

The main building has two apartments above the storefront. M. Alshaary does not operate the corner store anymore. He rents the space to a tenant to operate. There is a lot of competition for this type of use on Broadway and it was becoming too hard to make a living with the store. He still resides in the building with his family.

There are no issues with the Building Safety Division. No building permits have been issued for the Elmendorf Street building. R. Jacobsen asked the applicant to remove the graffiti that is currently on the side of the building. M. Alshaary explained that he removes it and they do it again, the current graffiti is new but he will remove it.

A term for the permit was discussed. Section 405-32 of the Zoning Code was amended in August 2012 to allow the Board the ability to renew special permits in the MUOD for such a period as it determines after an initial 1 year term. The Board agreed to continue the 1 year term to review progress on the Elmendorf renovation plan.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit renewal for a period of 1 year to expire on October 13, 2016 with all original approvals carried forward. The owner was also directed to remove the graffiti on the side of the building. (WP, JD, CP, RJ, JK – yes)

Item #5: **#380 Foxhall Avenue** SPECIAL PERMIT renewal to establish an automotive repair facility. SBL 48.302-5-10. SEQR Determination. Zone NB. Ward 6. Timothy Halpin; applicant/owner.

Discussion: No one spoke at the public hearing. Tim Halpin and Tammy Dart were present at the meeting. The application is to renew the special permit for Tim's Auto, a full service automobile repair station. The permit was first issued in October 2010 with the most recent renewal in September 2012 for a period of 3 years.

The business was approved to operate 6 days a week from 8am-6pm. T. Halpin stated that they have actually reduced the hours to 8am-5pm. The applicant is currently licensed by New York State. Car sales are not permitted on the site and are not permitted in the NB zone.

The application is a special permit under section 405-15(C)(7) which states “a businesses or professional offices scaled primarily to serve the immediate neighborhood.” Special permits require regular renewals and can be revoked if issues and complaints arise on a regular basis. The Planning Office has not received any complaints since the previous renewal.

The Board agreed that the owner has kept the site well maintained and that there have been no complaints to the Planning Office or Building Department.

A term for the special permit was discussed. There is no set term for this type of permit. The most recent permit was issued for 3 years. The Board agreed to continue the 3 year term.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 3 years to expire on October 13, 2018 with all original conditions carried forward. (WP, RJ, JD, CP, JK – yes)

Item #6: **#79 Wurts Street** SPECIAL PERMIT renewal to operate a Bed & Breakfast. SBL 56.42-7-8.100. SEQR Determination. Zone RT. Ward 9. Peter & Julie Wetzler; applicant/owner.

Discussion: No one spoke at the public hearing. Peter Wetzler was present at the meeting. The application is to operate a Bed & Breakfast in a single family home. The original approval included 3 bedrooms and 2 bathrooms to be used for the B&B. Another bedroom and bathroom will be used by the homeowner which is not shown on the drawing. The total number of bedrooms in the home is 4 and bathrooms is 3.

The Board asked how the business is doing. P. Wetzler told the Board that the B&B is doing very well.

The applicant was give the Zoning code section 405-45 listing the requirements for Bed-and-breakfast establishments:

- 1- B&B shall be the primary residence of the owner-operator with no other use allowed
- 2- Maximum length of stay for any for guest shall be 7 consecutive days and in no way shall be used as a boarding/rooming house as in section 405-12(B)(2)
- 3- No cooking facilities shall be permitted in any rented room
- 4- Two off-street parking spaces shall be established, on premise, for the residence with an additional off-street space for each room rented.
- 5- Maximum number of rooms rented is 4 unless the structure/parcel is deemed sufficient to contain more
- 6- One non-illuminated sign, free standing or attached shall be permitted not to exceed 2sf and not to include the word “hotel” or “motel.”
- 7- Manual outward modification of the structure may be made only if changes are compatible with the character of the neighborhood and intent of the zoning district
- 8- The architectural integrity and arrangement of the interior space must be maintained and the number of guests rooms shall not be increased except as may be required to meet the health, safety and sanitation requirements.

A term for the special permit was discussed. The term for B&B's are limited to 1 year maximum. The Board agreed to continue the 1 year term.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 1 year to expire on October 13, 2016 with all original conditions carried forward. (WP, JD, CP, RJ, JK – yes)

Item #7: #138 Delaware Avenue SPECIAL PERMIT renewal for a two-family residence in the RF-H district. SBL 56.28-3-18. SEQR Determination. Zone RF-H. Ward 8. Robert Lopez; applicant/owner.

Discussion: No one spoke at the public hearing. Robert Lopez was present at the meeting. The renewal is for a special permit for a two-family in the RF-H (Hudson Riverfront District). The application was previously renewed for a period of 5 years in 2010.

The applicant stated that he made no changes to the original permit.

R. Lopez is currently registered with the Building Safety Division for landlord registration and receives regular inspections by the BSD. The most recent inspection was in April 2014 with no issues.

Staff advised the applicant that there is no limit on the term for the special permit in this area. The previous permit was renewed for 5 years. The Board agreed to another 5 year term.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 5 years to expire on October 13, 2020 with all original conditions carried forward. (WP, JD, CP, RJ, JK – yes)

Item #8: #394-400 Foxhall Avenue SPECIAL PERMIT renewal to construct a 2400sf commercial building for auto repair. SBL 48.302-4-22. SEQR Determination. Zone NB. Ward 6. Michael Piazza; applicant/owner.

Discussion: Tim Halpin spoke at the public hearing. He said that he had only known that the item was on the agenda because he was there for his own application. He cautioned the Board against oversaturating the neighborhood with auto repair facilities. He also stated that when he was initially applying to use his building for auto repair, the Board questioned whether the size was large enough for the use. He believed that C. Polacco voted against the application because of this. The building that M. Piazza is proposing is smaller than his building.

M. Piazza was not present at the meeting. The Board agreed to table the application and place the item on the November meeting agenda.

Decision: The Board voted unanimously to table the application. The item will be placed on the November 2015 Planning Board meeting agenda. (WP, JD, CP, RJ, JM – yes; JK – abstain)

Item #9: #256 Washington Avenue SPECIAL PERMIT renewal to operate a residential care/assisted living facility. SBL 56.90-4-36. SEQR Determination. Zone R-2. Ward 2. Stockade Group, LLC; applicant/owner.

Discussion: Richard Caggiano was present at the meeting. The application is for renewal of a special permit for the operation of a residential care/assisted living facility known as Chiz's Heart Street. The location operated for years as "Washington Manor". The application was last renewed in September 2014 for 1 year.

Chiz's Heart Street, operates as a 24-hour supervised residential care facility. The original permit was issued in October 2003. In 2006 the operations expanded into the "annex building". At the January 2013 meeting, the Board was informed that the annex was no longer occupied due to unsafe conditions. The Board asked what the status was of the "annex building" at this time. R. Caggiano said that there are tenants living in the building. He said that M. Chisolm made it look really nice inside. He also said that the building has a new roof. Staff questioned whether the Building Department had been involved in inspecting the location and whether any building permits were obtained. R. Caggiano did not know for sure.

The Board asked how many tenants were in the building at this time. R. Caggiano stated that he believed there were 49 residents at this time.

The Board asked if any tenants from the recently posted multiple residence home at 21 Elizabeth Street were relocated to Chiz's Heart Street. R. Caggiano stated that he did not think any people were relocated.

Due to the questions about the reuse of the annex building. The Board agreed to table the application to discuss the matter with the Building Safety Division.

Decision: The Board voted unanimously to table the application. The item will be placed on the November Planning Board agenda. (WP, RJ, CP, JD, JK – yes)

OLD BUSINESS:

Item #10: #12 & 14 Thomas Street & 564 Broadway SITE PLAN to expand restaurant use into a vacant commercial building. SBL 56.25-4-16.10, 16.20, 20. SEQR Determination. Zone C-2. Ward 5. Matteo-Bella; applicant/owner.

Discussion: Scott Dutton and Frank Guido were present at the meeting. The proposal includes expansion of Frank Guido's Little Italy into the adjacent building formerly known as "RJ's Lounge". The project also includes an outdoor eating area with a circular fire place. The owner combined 3 parcels into one at the July 2015 Planning Board meeting.

S. Dutton stated that he received notes on the project from staff. He said that F. Guido is seeking to expand the current liquor license to the new space.

The Board agreed that the fire pit was a nice addition to the outdoor seating area. S. Dutton stated that it will operated with gas, not wood.

Floor plans – The banquet room will remain an open floor plan. The building will be attached to the main Little Italy building with a small addition. S. Dutton stated that the connection between the buildings will allow for a handicap accessible entrance to access the new banquet area. A catering kitchen and two handicap accessible bathrooms will be located in the banquet room. S. Dutton added that there would be a bar in the banquet area as well. io.

Elevation drawings have been submitted for review. The applicant stated that he is removing the paint from the exterior to return the building to the natural brick. Awnings will be added to the windows and wall mounted lights will be added to the façade.

The requirement for parking for a restaurant is 1 space per 100sf. The total required parking for the new area is 22 spaces. The building is located across the street from the Cornell Street municipal parking lot. The Board agreed to issue a waiver based on proximity to municipal lots.

A variety of landscaping is proposed to surround the outside dining area including spirea, anemone, daylily, Black Eyed Susans, Joe Pye Weed, allium, sage and Japanese Rose. Virginia creeper will also be used as a ground cover along Broadway to eliminate the need for lawn. There will also be decorative fencing added to the site.

The portion of the property along Broadway is in the Heritage Area. S. Dutton stated that he would present the plans to the Heritage Area Commission.

The following Board Policies were made part of the decision: #4 & 4a – lighting levels between 1-5 footcandles and adjustments if necessary, #6 – signature on final plans, #7 & 7a – active approvals and applied conditions limited to 1 year, Policy #14 – Dig Safely Statement, #15 – Zoning Compliance and Analysis, #19 Noise Ordinance.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the site plan to expand the restaurant and add an outdoor patio and dining area with the following conditions: erosion control measures in place for construction, Heritage Area Commission approval, and Board Policies #4, 4a, 6, 7, 7a, 14, 15, & 19. The Board also voted to waive the parking requirement based on the proximity to municipal parking lots. (WP, CP, JD, RJ, JK – yes)

Item #11: **#20 Cedar Street** SITE PLAN/SPECIAL PERMIT to demolish the existing commercial building and construct mixed use, multi-story building. SBL 56.109-4-2.100. SEQR Determination. Zone O-2, Mixed Use Overlay District. Ward 4. RUPCO/applicant; Ferraro Mid City Lanes/applicant.

Discussion: Kevin O'Connor, Michael Moriello, Scott Dutton, and Charles Snyder were present at the meeting. M. Moriello told the Board that a draft Negative Declaration has been completed for their consideration. K. Haber added that the Long EAF, the draft Neg. Dec. and a draft resolution was circulated to the Board via email for their consideration. M. Moriello explained when the Board completes the SEQR review and if they were to issue a Negative Declaration of Environmental Significance, the next step would be for the Common Council to review the zoning change and make a decision on whether to amend the zoning for the parcel from O-2

Limited Office to C-2 Central Commercial. The application would then return to the Planning Board for a decision on the Site Plan/Special Permit application.

K. Haber informed the Board that the application was referred to the Ulster County Planning Board for review and comment. At this time, the Planning Office had not received any decisions from the UCPB meeting. C. Snyder stated that he was present at the UCPB meeting and that the main concern that they had was with regard to traffic at the intersection of Cedar Street and Broadway.

K. O'Connor told the Board that he has been in contact with Chris Silva from UPAC and that they are looking at doing a significant amount of work. K. O'Connor said that they are planning to coordinate work at the sites.

By resolution, dated May 11, 2015, the Planning Board stated intent to seek Lead Agency for the SEQR review. Circulation to all Involved and Interested was accomplished on May 13th, 2015 with no objections during the 30 day response period. The Planning Board declared themselves Lead Agency by resolution dated July 13, 2015. Notice was sent to the Involved and Interested Agencies on July 14, 2015. Staff has prepared a resolution for the Board's consideration to issue a negative declaration of environmental significance.

Decision: The Board voted unanimously to adopt a Negative Declaration of Environmental Significance by resolution titled "Resolution of the City of Kingston Planning Board Adopting a Determination of Negative Declaration of Environmental Significance for #20 Cedar Street (SBL 56.109-4-2.100) Review Under the SEQR Process (6 NYCRR Part 617)." (WP, JD, CP, RJ, JK – yes)

Item #12: #105 Mary's Avenue SITE PLAN to construct a 2 story addition, totaling 48,000sf, relocate the helipad, improve and increase the parking lot, and add 3 generators to the hospital campus. SBL 56.41-3-1.110. SEQR Determination. Zone O-2 & RRR. Ward 9. Health Alliance of the Hudson Valley; applicant/owner.

Discussion: Alderwoman Deb Brown requested the opportunity to speak to the Board. W. Platte invited her to the podium. She stated that she was speaking on behalf of Twaalfskill Golf Course as a member and Alderwoman of the ward that they are in. She said that they have expressed concerns about stormwater runoff effecting their greens. One of the holes nearest to the hospital property is the biggest concern. She said that they would like to be kept in the loop and that they want to be on record as bringing the issue up.

K. Haber explained that the applicants requested that the Board table the application to allow additional time to develop the site plan and details.

Decision: The Board voted unanimously to table the application. (WP, JD, CP, RJ, JK – yes)

NEW BUSINESS:

Item #13: **#90 & 92-94 Prince Street** SITE PLAN to establish a shooting range in an existing commercial building. SBL 56.26-9-2.1 & 37. SEQR Determination. Zone C-3. Ward 5. Game Development LLC; applicant/owner.

Discussion: Dr. Adam Soyer, applicant and Scott Dutton, project architect were present at the meeting. D. Soyer explained that the proposal is to create a shooting range, education classroom and a retail area for fire arms sales.

The shooting range will be approximately 17 1/2 ft. wide and 45ft. long. A. Soyer stated that only people that have pistol permits can shoot pistols. There are a number of state and federal guidelines that regulate these uses. A permit application has been filed with the Bureau of Alcohol, Tobacco and Firearms.

A range safety officer will be on site at all times. The Board asked about the qualifications of other staff at the location. A. Soyer stated that all employees will be certified as instructors.

Information has been submitted regarding noise abatement. Ear and eye protection will be worn at all times in the shooting range. A pdf version of a PowerPoint created by acoustical consultants: Marlund Hale PhD, Gary Siebein PhD, and Felicia Dogget was submitted.

The concern of lead and environmental issues were raised at the meeting. A shooting range consultant has been brought on to advise the applicant with regard to the air filtration system. Information by, Carey's Small Arms Range Ventilation, was submitted on the requirements and equipment that is needed to mitigate the lead that is expelled from ammunition. A HEPA filtration system with 1,000,000BTUs will be added to create an environment where the air leaving the building will be cleaner than the air entering the building.

In discussion with the consultant, they told Dr. Soyer to estimate 200 people a week at the range with 40% of them coming on the weekends. Range time will likely be 1 hr. Dr. Soyer is looking into a system that will allow for visitors to check in and receive a notification of their time on their smartphone or other device.

Dr. Soyer also stated that he met with the Kingston Police Department and the Ulster Sheriff regarding the use and his business plan. Although this range would not qualify for training requirements because of the size, the police and sheriffs were very positive and stated that they may use the space for possible training.

Dr. Soyer stated that in talking to the department that issues pistol permits, they said that there are about 200 per month in Ulster County and that over half of them are women. Many people that have permits have never had any training and many have never even fired a gun. Life fire training is not required.

The Board asked if any guns would be used that were not pistols. Dr. Soyer stated that there is the possibility for 22 rifles which do not require a permit to fire.

The Board asked about the retail area. Dr. Soyer stated that he is seeking approval to be a dealer.

K. Haber told the Board and the applicants that the Planning Office received a call from the ATF Investigator handling the permit application for this location and that he asked to be notified of the final decision by the Board. There is a timing requirement that addresses the date of the permit approval through the ATF and the approval from the Kingston Planning Board.

The Board discussed the whether a formal public hearing should be held for the application. It was originally anticipated that the public might wish to speak on the application. The Board discussed the fact that an article had been in the Daily Freeman noting the proposed use and the date of the Planning Board meeting and that no one was present to see the application or ask any questions or comments. Staff added that no one had been to the office to see the application either and that there had only been one call to the office before the application was submitted to ask questions about the use and express concern about lead contamination. R. Jacobsen added that he was hesitant to schedule a formal public hearing because he did not want the Planning Board meeting to turn into debate on guns and gun policies. The Board agreed that there was opportunity to speak in the beginning of the meeting and that there would be an open public speaking opportunity at the next meeting. Any questions or concerns could be expressed at that time.

J. Dwyer questioned the City code regarding firing guns within the City of Kingston. K. Haber stated that S. Cahill had spoken with both Corporation Counsel and the KPD Chief to obtain opinion on the proposal and both are agreeable to the business, with obvious consideration that all necessary permits, noise mitigation and approvals by law enforcement are issued.

Decision: The Board voted unanimously to table the application. The item will be placed on the November Planning Board agenda. (WP, RJ, JD, CP, JM – yes)

Item #14: **#8-14 North Front Street** SITE PLAN amendment to install a handicap ramp and stair entrance in the public right of way. SBL 48.331-3-2. SEQR Determination. Zone C-2, Stockade Historic District, HAC. Ward 2. Front & Fair, LLC; applicant/owner.

Discussion: Robert Dupont was present at the meeting. He explained that the owners are seeking permission to install a handicap ramp access to the main entrance of the building with steps on the other side. This construction will take place in the City right of way which requires planning board approval.

The application was submitted late after the submission date and therefore was added to the agenda as a revision. The ramp would be added to the North Front exterior of the building to provide for ADA compliance. The ramp itself will be located within the public ROW of the sidewalk area. Adequate clearance of 3' will be required to be maintained.

R. Dupont was made aware that there are insurance requirements for construction in the public right of way that will need to be held in place. A section of the code was provided explaining the requirements.

The Board reviewed the plans which included details of the ramp structure showing that it will have railings similar to those that surround the NYS Historic Site. R. Dupont stated that the

construction will be concrete with bluestone caps. The applicant is aware that the Historic Landmarks Preservation Commission needs to review and approve the plans.

Staff explained to the Board that 2 street trees were cut down without permission. The owner has agreed to replant the trees but one of the tree pits will need to be filled in to make way for the ramp and still provide sidewalk access. R. Dupont said that one of the tree pits will be relocated. The tree pits will need to be shown on the plans.

R. Dupont also explained that the Planning Office had requested that the exterior lights around the outside of the building lighting the state property and the refuse enclosure located on the NYS Senate House Property be added to the plans. These items were included on a previous plan but were not included in the approval because the owner did not get approval from NYS. The lights and the refuse enclosure were added to the site without approval.

Decision: The Board voted unanimously to approve the site plan amendment to install an ADA compliant ramp in the public right-of-way with the following conditions: signoff on the final plans by the Department of Public Works, a sidewalk permit for construction, relocation of one of the tree pits, replanting of 2 street trees that were cut down, insurance coverage for the installation of a ramp and stairs on public property, Historic Landmarks Preservation Commission and Heritage Area Commission approvals, and Board Policy #6 – signature on final plans. (WP, JD, CP, RJ, JK – yes)

DISCUSSION:

Item #15: **#298-332 Rear East Strand** Proposed changes to Central Hudson facility. SBL 56.36-1-18. Zone RF-R. Ward 8. Central Hudson Corp.: applicant/owner.

Discussion: Mark McLean, Jesse Gallo, and John Maserjian from Central Hudson, were present at the meeting. They explained that they requested the opportunity to present their remedial design report to the Planning Board. The plan had been developed to remediate and clean up the contamination that exists on the site.

Historically, the site was used to manufacture gas. Now natural gas is used instead of manmade gas from coal. Historic photos of the site were passed around showing the manufacturing equipment that use to be located on the site. The applicants explained that the remnants from the old process resulted in coal tar contamination on the site. Because of the proximity to the Rondout Creek, the residual tar is contaminating the creek. The radiation of the site is part of the Brownfield Cleanup Program. The proposal is to create a concrete mix with the dirt that is on site as deep as 26-28ft. The mix of concrete and soil would create a solid concrete mass that would prevent contamination from washing offsite. The project would also include driving sheet pilings along the bulkhead to hold the land in place.

The Board asked what the estimated timeline would be for the remediation. The applicants said it would be about 18-24 months. J. Korn asked if there is a smell emanating from the contamination. The applicants did not think that there is any aroma.

The Board asked about contamination from other sites re-contaminating the site after the cleanup. The applicants said that this concern was actually one that they voiced during the original plans. The concrete form that they are creating should reduce any possibility of recontamination.

The Board questioned future development of the site with a concrete form underground. Central Hudson representatives explained that the top 4 feet of soil will be removed, remediated and placed on the concrete form. The concrete used for the mixture is a low psi which would allow for possible development to drill or excavate if needed.

The Board thanked Central Hudson for the presentation.

Decision: The Board did not make a formal decision because the item was strictly for discussion purposes.

Item #16: **#32 Abeel Street** Proposed changes to the approved site plan for the Irish Cultural Center. SBL 56.43-5-35.100. Zone RT. Ward 8. Irish Cultural Center; applicant/owner.

Discussion: Robert Carey, Irish Cultural Center Hudson Valley, and Brad Will, project architect, were present at the meeting to represent the project. R. Carey explained that Brad Will joined the team to be the architect for the project. Previously, the ICCHV was working with architecture students at the Ulster County Community College but that the plans have changed since the original approval. Over the past couple months, ICCHV has been working with an architect in NYC that lives in Dutchess County named Bob Fox of the firm Cook Fox Architects and have brought Brad Will in to be the local architect of record.

R. Carey stated that the overall size of the building footprint has not changed but that the shape of the building is proposed to change. The building has changed from an “L” shape footprint to a box. Also, the interior layout of the building has been changed to create a better flow of uses.

R. Carey also said that he has been in contact with the engineer and the number of parking spaces has not changed on site but the configuration has changed. Storm-water and all other features have remained the same.

Elevations have been reworked including a green roof and a goal of net zero energy. B. Will explained some of the green aspects. B. Will explained that the goal is to generate as much energy on site and possibly purchase some energy from an off-site source. B. Will presented the drawings to the Board. He said that they are looking to take advantage of the parking spaces by adding solar canopies over the spaces. The Board expressed concern with the look of the canopies in a densely developed area and particularly in a historic district. The Board suggested adding the panels to the roof rather than the ground. B. Will explained that roof is planned to be used as a green roof with a Rondout Creek, Hudson River motif. He also said that the roof is too small to hold enough panels on its own. The configuration they are proposing on the Abeel Street/West Union parking lot would generate about 64kw with lower level parking on the building site generating about 24kw. There may be additional panels on the roof that may get them over 100kw.

Building itself insulated concrete, with efficient, well insulated windows. All building materials will be chosen with the purpose of creating a building that is as energy efficient as possible.

The Board informed R. Carey and B. Will that they would like to see additional details and renderings showing what the solar parking lots would look like. They also suggested that they present the plans to the Historic Landmarks Preservation Commission and the Heritage Area Commission early on so that they can get their opinions on the covered parking before they invest a great deal in the plans.

Decision: The Board did not make a formal decision because the item was strictly for discussion purposes. The applicants will return to the Board with an application to amend the site plan when plans are more developed.

RECOMMENDATION:

Recommendation to the Common Council on the proposed adoption of the City of Kingston Comprehensive Plan, Kingston 2025.

Discussion: Staff explained that the Common Council is required to make a referral to the Planning Board as part of the approval process. S. Cahill forwarded the draft plan prior to the meeting. K. Haber explained that the recommendation by the Planning Board will allow the Comprehensive Plan to move forward toward adoption by the Common Council.

Decision: The Board voted unanimously to recommend adoption of the comprehensive plan by the Common Council. (WP, JK, CP, RJ, JM – yes)